

**Owens, Mike**

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**From:** Owens, Mike  
**Sent:** Thursday, November 12, 2015 4:27 PM  
**To:** 'bbird@utah.gov'  
**Cc:** 'rdolsen@utah.gov'; 'David Beatty'; 'Jennifer He'  
**Subject:** PacifiCorp Hunter comment letter  
**Attachments:** PACIFICORP HUNTER - T5 RENEWAL CMT LTR -11-12-15.pdf

Bryce,

Please find attached our comment letter on the draft Title V renewal permit for PacifiCorp's Hunter power plant. Thank you for considering our comments.

Mike Owens  
Environmental Engineer  
Air Program  
EPA Region 8  
303-312-6440

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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November 12, 2015

Ref: 8P-AR

Bryce Bird, Director  
Division of Air Quality  
Utah Dept. of Environmental Quality  
P.O. Box 144820  
Salt Lake City, Utah 84114-4820

RE: Draft Operating Permit Renewal for PacifiCorp Hunter Power Plant

Dear Mr. Bird:

The purpose of this letter is to submit our comments on the draft renewal of the Title V Operating Permit for PacifiCorp Energy's Hunter power plant. The public comment period expires on November 13, 2015. We have the following comments:

Language should be added to condition II.B.1.c.1 to indicate how adherence to a fugitive dust control plan will assure compliance with the 20% opacity limit in condition II.B.1.c.

Condition II.B.1.c. says, "Visible fugitive dust emissions from haul road traffic and mobile equipment in operational areas shall not exceed 20% opacity." The underlying authority cited for the condition is an Approval Order (AO) issued on June 26, 2014. Condition II.B.1.c.1, titled "Monitoring," says "Adherence to the most recently approved fugitive dust control plan shall be monitored to demonstrate that appropriate measures are being implemented to control fugitive dust." While the approved plan dated January 14, 2013, includes requirements for daily monitoring of visible emissions and fugitive dust control measures, there is no explanation in the draft Title V permit or accompanying "Reviewer Comments" how adherence to the plan can assure compliance with the 20% opacity limit. We recommend the Title V permit address how adherence with the plan will assure compliance with the limit.

Language should be added to condition II.B.1.c.2 to indicate the specific recordkeeping necessary to assure compliance with the 20% opacity limit in condition II.B.1.c.

Condition II.B.1.c.2, titled "Recordkeeping," says "Records of measures taken to minimize fugitive dust shall be maintained as described in Provision I.S.1 of this permit." Provision I.S.1 is a general requirement for Title V sources to keep records of all required monitoring data and support information. It does not indicate what specific types of records might be necessary for tracking compliance with the



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20% opacity limit in condition II.B.1.c. We recommend the Title V permit address the issue of what specific types of records will be maintained to track compliance with the limit.

Information should be provided on where the Fugitive Dust Control Plan may be found.

The fugitive dust control plan is not included in the draft Title V renewal permit package and is not mentioned in the Reviewer Comments (commonly referred to by EPA as the "statement of basis") for the permit. The plan currently resides on State website, but we do not believe it can be found without assistance from the State. We recommend that the State provide information on where the fugitive dust control plan can be found.

Information should be provided on where the Emissions Minimization Plan for startup and shutdown events may be found.

Condition II.B.1.h requires PacifiCorp to develop, maintain and implement a written Emissions Minimization Plan for startup and shutdown events at Units #1, #2 and #3. The plan is not included in the draft title V renewal permit package and is not mentioned in the Reviewer Comments. The plan does not currently reside on State website. We recommend that the State provide information on where the Emissions Minimization Plan can be found.

Apparent typographical errors and questionable language in condition II.B.1.h should be examined and appropriate corrections made.

Condition II.B.1.h.(a) -- The definition of the end of boiler "startup" refers to two coal feeders having been "proven in service." PacifiCorp's Emissions Minimization Plan, dated October 10, 2015, instead refers to two coal feeders having been "placed into service." We recommend the appropriate correction be made in the permit.

Condition II.B.1.h.(d) -- The same sentence appears twice in this condition. This redundancy appears to be a typographical error. We recommend it be corrected.

Potentially problematic director discretion clauses should be revised or removed.

We found several instances of director discretion clauses in the draft permit which we view as potentially problematic. By "director discretion," we mean instances where the permit gives authority exclusively to the State to make certain approval decisions, without opportunity for EPA or other party involvement or approval. The specific instances of concern to us involve the phrase "or other testing methods approved by the Director." This phrase is found in the following permit conditions:

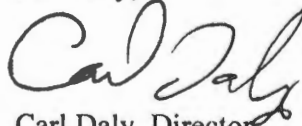
- II.B.2.c.1.(a)(3)
- II.B.2.e.1.(a)(3)
- II.B.2.h.1.(a)(3)
- II.B.3.e.1.(a)(3)
- II.B.3.f.1.(a)(3)

In each of these instances, the language at issue could be misinterpreted to give the State the authority to approve test methods "off permit" for compliance determinations, other than the EPA test methods in 40 CFR Part 60, Appendix A, which are included in the permit to assure compliance with the various testing requirements for compliance with permitted emissions limits. This is potentially problematic because changes to the compliance determination methods must follow the appropriate permit revision procedures under 40 CFR 70.7.

For all of the instances cited above, we recommend rephrasing the permit to say, "or other EPA-approved testing methods acceptable to the Director." It is our understanding that the State has made this rephrasing in other permits and inadvertently omitted doing so in this draft permit.

Thank you for considering our comments. We have discussed these comments with your staff. We look forward to the opportunity to review the proposed permit when it is made available to us. If you have any questions, please feel free to contact me at (303) 312-6416, or your staff may contact Mike Owens at (303) 312-6440.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl Daly".

Carl Daly, Director  
Air Program